



NEWS RELEASE

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**Conference Committee Waives Endangered Species Act
for Defense Activities:**

***Wildlife Group Files Lawsuit
Against U.S. Air Force
for Bombing Pronghorn Antelope Habitat***

WASHINGTON, D.C — While Defenders of Wildlife filed a suit today against the U. S. Air Force for violating the Endangered Species Act (ESA), some Members of Congress were quietly moving behind the scenes to exempt Department of Defense (DOD) activities from the ESA.

In a case illustrating the need to protect endangered species from military activities, Defenders charged that the Air Force has continued bombing desert habitat for the endangered Sonoran pronghorn antelope in Arizona. Meanwhile, in conference committee negotiations earlier this week on the DOD appropriations legislation, Rep. Henry Bonilla (R-TX) attached a waiver to the legislation that would exempt all military agencies from protecting species and their habitats.

"The Air Force's conduct with respect to the Sonoran pronghorn antelope is as outdated as the Cold War," says Defenders' President Rodger Schlickeisen. "The Air Force has had ample opportunity to comply with the Endangered Species Act but it has shirked that responsibility. Waiving the ESA for DOD activities would create battle zones in many wildlife habitats despite the lack of any threat to our nation's security."

Representative Bonilla's waiver would relieve the military of any responsibility for reckless destruction of endangered habitat resulting

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from training exercises or other activities. Although Bonilla claims that the current process of coordinating with the U.S. Fish and Wildlife Service before conducting potentially harmful activities in endangered habitats delays proper military training and therefore interferes with national security, the Department of Defense and the FWS both attest that such consultation leads to little or no delay in military activities.

According to internal agency documents obtained by Defenders, the Air Force has been running military training missions out of Luke Air Force Base in Phoenix, over the nearby Barry M. Goldwater Air Force Range. Because as few as 80 to 120 Sonoran pronghorn remain in the United States, the conservationists warn that the bombing is increasing the pronghorn's very high risk of extinction.

For at least the past nine months, the Air Force has confirmed the presence of pronghorn in the area of the military exercises. The pronghorns are subjected to frequent air-to-ground live fire exercises as well as bombing practice on a location called H.E. Hill or "High Explosive Hill." Despite having been put on the endangered species list almost thirty years ago, the pronghorn's population numbers are still dwindling on both sides of the U.S.-Mexican border because its habitat is increasingly being fragmented, developed, and disturbed.

Bill Snape, Defenders' Legal Director notes that, "The ESA requires that the Air Force consult with the Fish and Wildlife Service on its military activities in pronghorn habitat to determine the potential impacts of those activities, and that, pending the completion of the consultation process, the Air Force stop the activities in question. Nonetheless, the Air Force is refusing to stop or even temporarily curtail its bombing activities. Imagine what they would do if ESA considerations were waived and the public's voice was eliminated."

Defenders' biologist Dr. Dennis Hosack warns, "We're taking action now because the possibility of extinction is very real. The fastest land mammal in the Western Hemisphere is rapidly heading toward oblivion. Scientific experts believe we could lose the entire sub-species in a matter of a few years. How can the species recover from the brink of extinction if its last remaining habitat is a live-fire war zone?"

Defenders believes that the Air Force bombing and other military activities are resulting in direct mortality to pronghorn; at the very least, their exercises are likely to be causing stress, panic, and bodily injury, while displacing pronghorn from their feeding, drinking, fawning, and bedding areas to less valuable areas. The potential results include impaired reproduction and higher mortality rates for adults and fawns alike.

Under the Endangered Species Act, the harming, harassing, pursuing, hunting, shooting, wounding, or killing of an endangered species is unlawful, unless an agency has complied with the procedural requirements of the Act. Defenders of Wildlife is being represented in this lawsuit by Katherine Meyer and Howard Crystal of the Washington, D.C. law firm of Meyer and Glitzenstein.